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10/826,461	04/16/2004	Derek J. Richards	562492000100	1486

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EXAMINER
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REDDIVALAM, SRINIVASA R

ART UNIT	PAPER NUMBER
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2609

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/826,461	<b>Applicant(s)</b> RICHARDS ET AL.	
	<b>Examiner</b> Srinivasa R. Reddivalam	<b>Art Unit</b> 2609	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>4 OCT 2004</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 7 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

The limitations of claim 7 are same as in claim 6.

2. Claims 18, 25, and 26 are objected to because of the following informalities:

Appropriate correction is required.

3. Regarding claim 18, the word "act" of allowing the user equipment is not clearly defined in the claim and needs more explanation.

4. Regarding claim 25, line 2, "in" should be changed to --is--. Further, "may be" is negative limitation, hence, it is unclear whether the limitation following it is applicable.

5. Regarding claim 26, it is not clear how minimum is a minimum level of service.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1, 2, 14, 18, 19-22, 23, 35, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jung et al, (Pub. No: 2005/0213541) in view of Cooper (Pub. No: 2006/0194582).

Regarding claim 1, Jung et al. teach a method for determining whether to initiate (or transmit) multicast service from a first base station of a first cell (i.e. node B in DRNC in

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Fig.2), the method comprising: receiving a user message (i.e. MBMS UE linking message transmitted by CN in Fig.7), wherein the first cell (i.e. node B in DRNC in Fig.2) is a neighbour of the second cell (i.e. node B in SRNC in Fig.2), and wherein the user message includes a list of one or more neighbouring cells [0077]; and in response to the message, initiating the multicast service in the first cell which is the listed neighbouring cell ([0085] and [0087]).

Jung et al. differ from the claimed invention in that the user message is transmitted from CN instead of from UE as claimed.

However, Cooper (see 0046) teaches that the active network (i.e. UMTS) signals neighbour cell information to the User equipment and user equipment searches for cell availability, determines neighbouring cell and signals it back to the network i.e. user equipment in response to the message from network, determines the neighbouring cell and responds to the network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. to include transmitting the user message by UE disclosed by Cooper in order to guarantee providing the multicast service in 1<sup>st</sup> cell thereby improving the performance of the network.

Regarding claim 2, Jung et al. differ from the claimed invention in that the user message is transmitted in response to the network message transmitted from 2<sup>nd</sup> base station to request the UE to provide neighbouring cell information as claimed.

However, Cooper (see 0046) teaches that the active network (i.e. UMTS) signals

neighbour cell information to the user equipment to request for proper neighbouring cell and user equipment searches for cell availability, determines neighbouring cell and transmits the user message to the network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. to include transmitting network message to request UE to provide neighbouring cell information disclosed by Cooper in order to guarantee providing the multicast service in 1<sup>st</sup> cell thereby improving the performance of the network.

Regarding claim 14, Jung et al. fail to teach that the method further comprising the act of transmitting from a 2<sup>nd</sup> base station in the 2<sup>nd</sup> cell, an initial message to indicate to the user equipment a list of cells that are neighbours to the 2<sup>nd</sup> cell.

However, Cooper (see 0046, lines 10-13) teaches that the active network (i.e. UMTS) signals neighbour cell information to the user equipment.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. to include transmitting network message to indicate to UE the list of neighbouring cell information disclosed by Cooper in order to guarantee providing the multicast service in 1<sup>st</sup> cell thereby improving the performance of the network.

Regarding claim 18, Jung et al. and Cooper teach the method of claim 1 above.

Jung et al. further teaches for the method to allow the user equipment to join the multicast service (page 3, [0036]).

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Regarding claims 19 and 20, Jung et al. teach a method for determining whether to initiate a multicast service in a group of cells in a network, the method comprising: receiving one or more user messages (i.e. MBMS UE linking message transmitted by CN in Fig.7) transmitted by core network (i.e. CN), wherein each one or more user messages includes a list of one or more neighbouring cells [Page3, 0077]; and for each cell of the group of cells, accumulating a first count (page 2, [0026], lines 8-11) of the user messages having the cell included the list of one or more neighbouring cells and accumulating a second count of the user messages received from user equipment; and for each cell of the group of cells, initiating the multicast service in the cell if the first count (and/or second count) for the cell is not zero (page 2, [0029], lines 8-12 and Jung et al. teach that network (i.e. RNC) performs a counting function of recognizing the number of UE terminals in a particular cell and according to the result of counting process, network (i.e. RNC) does transmit the multicast service if the count is not zero).

Jung et al. differ from the claimed invention in that user messages are transmitted from CN instead of from UE as claimed.

Cooper (page 3, [0046], lines 11-14 and claim 27) teaches that user messages from different user equipment in group of cells containing different neighbouring cell information are received by network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. to include transmitting user messages from different UE in a group of cells that contain neighbouring cell information to the

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network disclosed by Cooper to perform counting of the user messages from UE in a cell and initiate multicast service in that cell if the count is not zero i.e. multicast is only transmitted in the cell if at least one user is available and wants the service thus improving network transmission efficiency for multicast service.

Regarding claims 21 and 22, Jung et al. and Cooper teach the method of claims 19 and 20 above.

Jung et al. further teaches for the method, wherein the act of initiating the multicast service in a cell if the second count or first count for the cell is not zero includes: initiating a point-to-point multicast service in the cell if the first count +second count or first count is less than a threshold number; and initiating a point-to-multipoint multicast service in the cell if first count +second count or the first count is greater than the threshold number (page 2, [0028], lines 3-7).

Regarding claim 23, Jung et al. teach a method to assist determining whether to initiate (or transmit) a new multicast service from a second base station of a second cell (i.e. node B in DRNC in Fig.2), the method comprising: receiving a user message (i.e. MBMS UE linking message transmitted by CN) positioned in a first cell (i.e. node B in SRNC in Fig.2), wherein the second cell (i.e. node B in DRNC in Fig.2) is a neighbour of the first cell and wherein the user message includes a list of one or more neighbouring cells that UE can detect (lu signaling message in Fig.6); and in response to the message, network initiates (or transmits) the new multicast service (i.e. MBMS connection request message in Fig.9) in the second cell (i.e. to the node B in DRNC)



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which is the listed neighbouring cell.

Jung et al. differ from the claimed invention in that the user message is transmitted by CN instead of from UE as claimed.

However, Cooper (see 0046) teaches that the active network (i.e. UMTS) signals neighbour cell information to the User equipment and user equipment searches for cell availability, determines neighbouring cell and signals it back to the network i.e. user equipment in response to the message from network, determines the neighbouring cell that it detects and responds to the network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. to include transmitting the user message by UE disclosed by Cooper in order to guarantee providing the new multicast service in 2nd cell thereby improving the performance of the network.

Regarding claim 35, Jung et al. (see Abstract, Fig.7, [0048], [0049], [0068] and [0063]) teach a method of requesting a multicast service by user equipment in a 1<sup>st</sup> cell, the method comprising: generating a user request message, wherein the user request message includes a request for a multicast service and the first list of received neighbouring cells that UE can detect (lu Signaling message in Fig.6);

Jung et al. differ from the claimed invention that user message containing the list of neighbouring cell information list is received by SRNC from CN (see 0072 and 0073) instead of UE as claimed and also differs from the claimed

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invention that user message containing the first list of receivable neighbouring cells.

However, Cooper (see 0046) teaches that the active network (i.e. UMTS) signals list of neighbour cell information to the user equipment and user equipment searches for cell availability, determines receivable neighbouring cell and transmits it back to the network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the teaching of Jung et al. to transmit neighbouring cell information to UE in 1<sup>st</sup> cell and to have UE in 1<sup>st</sup> cell determine neighbouring cell and transmit the user message that contains the receivable neighbouring cell disclosed by Cooper and request for multicast service in order to guarantee providing the multicast service in that cell.

Regarding 38, Jung et al. teach a method to initiate multicast service in a group of cells (for ex. node B in DRNC in Fig.2) neighbouring the 1<sup>st</sup> cell (i.e. node B in SRNC in Fig.2), the method comprising: receiving a user message (i.e. MBMS UE linking message transmitted by CN) positioned in a first cell (i.e. node B in SRNC in Fig.2), and in response to the message, network initiates (or transmits) the new multicast service (i.e. MBMS connection request message in Fig.9) in the second cell (i.e. to the node B in DRNC) which is the listed neighbouring cell.

Jung et al. differ from the claimed invention in that the user message is transmitted by

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CN instead of from UE as claimed.

However, Cooper teaches that transmitting a network message to initiate response from user equipment (see page3, 0046 i.e. the active network (i.e. UMTS) signals neighbour cell information to the user equipment) and receiving a user message transmitted by user equipment (i.e. user equipment searches for cell availability, determines neighbouring cell and signals it back to the network i.e. user equipment in response to the message from network, determines the neighbouring cell that it detects and responds to the network).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. to include transmitting the user message by UE disclosed by Cooper in order to guarantee providing the new multicast service in the group of cells thereby improving the performance of the network.

9. Claims 3-8, 9-13, 15-17, 24-30, 36, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jung et al, (Pub. No: 2005/0213541) in view of Cooper (Pub. No: 2006/0194582) and further in view of 3GPP TS 25.346 V6.0.0 (2004-03) ("3GPP").

Regarding claims 3-8, Jung et al. and Cooper teach the method of claim1 above.

Jung et al. and Cooper fail to teach for the the method, wherein the list of one

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or more neighbouring cells that indicate base stations having transmissions that UE can detect or de-modulate is a list of neighbouring cells the UE could use for combining if the multicast service is initiated in the listed neighbouring cell or transmitted by the indicated base station.

However, "3GPP" teaches the method, wherein the list of one or more a neighbouring cell (or base stations) is a list of neighbouring cells (or base stations having transmissions that UE can detect or demodulate) the user equipment could use for combining if the multicast service is initiated in the listed neighbouring cell or transmitted by the indicated base station (Pages 23-24, sections 7.3.1 – 7.3.5 of "3GPP" teach that user equipment performs selective combining if UE has valid MBMS neighbouring cell information of that cell for MBMS reception.)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. and Cooper to include that UE could use list of neighbouring cells that indicate base stations having transmissions that UE can detect or de-modulate, for combining if the multicast service is initiated in the listed neighbouring cell as disclosed in "3GPP" in order to have better reception of multicast service.

Regarding claims 9-13, Jung et al. and Cooper teach the method of claim1 above.

Jung et al. and Cooper fail to teach for the method, wherein the user message further includes a signal measurement which is indicative of one or more signal quality, an error rate, a received signal power, a beacon signal power, a pilot signal power,

signal power of existing multicast transmission or signal to noise ratio, for each cell in the list of one or more neighbouring cells.

However “3GPP” teaches for the method of claim 1, wherein the user message further includes a signal measurement for each cell (Page21, section 7.1, 7<sup>th</sup> para. i.e. based on threshold e.g. measured CPICH EC/N0 from neighbouring cell) in the list of one or more neighbouring cells and the signal measurement (i.e. the threshold) can be an error rate (i.e. block error rate, CRC), a received signal power, a beacon signal power, a pilot signal power or EC/No that UE could use in selective combining.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. and Cooper to include the user message further includes a signal measurement that is indicative of one or more of a signal quality for each cell in the list of neighbouring cells disclosed by “3GPP” in order to facilitate UE to determine neighbouring cell suitable for selective combining.

Regarding claims 15 &16, Jung et al. and Cooper teach the method of claim1 above.

Jung et al. and Cooper fail to teach that the method, further comprising the act of transmitting from a 2<sup>nd</sup> base station in the 2<sup>nd</sup> cell, an initial message to wake the UE in 2<sup>nd</sup> cell from an idle mode wherein the initial message is a page notification message including a set of indicators corresponding to a respective set of multicast services and wherein each of the indicators indicates whether the second base station is transmitting

an updated multicast control channel message.

However, "3GPP" teaches that the method comprising the act of transmitting from a second base station in the second cell, an initial message to wake the user equipment positioned in the second cell from an idle mode (Page 26, Section 8.1.1, 1<sup>st</sup> para, lines 2-3 i.e. UTRAN may first apply conventional paging to move UEs in URA\_PCH to Cell\_PCH state) and wherein the initial message is a page notification message including a set of indicators corresponding to a respective set of multicast services (Page 13, Section 5.2.4, 3<sup>rd</sup> para), and wherein each of the indicators indicates whether the second base station is transmitting an updated multicast control channel message.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. and Cooper to include transmitting an initial message, which is a page notification message including a set of indicators corresponding to a respective set of multicast services, from a 2<sup>nd</sup> base station in a 2<sup>nd</sup> cell to wake the user equipment positioned in the second cell from an idle mode disclosed by "3GPP" to apply counting to determine the most optimal mode for multicast service.

Regarding claim 17, Jung et al. and Cooper teach the method of claims 1 & 2 above.

Jung et al. and Cooper fail to teach for the method wherein, the network message

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includes a cause value that indicates an enhanced counting procedure is invoked for the multicast service.

However, "3GPP" teaches that the method, wherein the network message includes a cause value (Page 14, Section 5.2.5, 1<sup>st</sup> para) that indicates an enhanced counting procedure is invoked for the multicast service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. and Cooper for claim2 to include the cause value in the network message disclosed by "3GPP" to indicate an enhanced counting procedure is invoked for the multicast service.

Regarding claims 24-30, Jung et al. and Cooper teach the method of claim23 above.

Jung et al. and Cooper fail to teach for the method of comprises: receiving 1<sup>st</sup> signal from 1<sup>st</sup> base station transmitting the multicast service & receiving 2<sup>nd</sup> signal from 2<sup>nd</sup> base station transmitting the multicast service and combining these two signals and also the base station transmission that UE can detect that provides required level of minimum service can be combined and user message further includes signal measurement i.e. indicative of received beacon signal or pilot signal power for each of the neighbouring cells that are detected.

However, "3GPP" teaches for the method of claim 23, wherein the user

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message further includes a signal measurement for each cell (Page21, section 7.1, 7<sup>th</sup> para. i.e. based on threshold e.g. measured CPICH EC/N0 from neighbouring cell, UE determines neighbouring cell suitable for selective combining) in the list of one or more neighbouring cells and the signal measurement (i.e. the threshold) can be a received signal power, a beacon signal power, a pilot signal power UE could use in selective combining of two signals that are transmitted from 2 base stations that UE can detect having the multicast transmissions.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. and Cooper to include that UE could use two signals from two base stations having multicast transmissions that UE can detect, for combining and wherein the user message further includes a signal measurement that is indicative of received beacon signal power or pilot signal power for each cell in the list of neighbouring cells disclosed by "3GPP" in order to facilitate UE to determine neighbouring cell suitable for selective combining.

Regarding claims 36 and 37, Jung et al. and Cooper teach the method of claim 35 above.

Jung et al. and Cooper fail to teach for the method, wherein the act of creating a list from the receivable neighbouring cells includes to determine whether the receivable signal is combinable by the user equipment and to include in the first list an indication of combinable cells and to determine the signal measurement of each cell in the list of neighbouring cells and includes it in the user request message.



However, "3GPP" teaches the method comprises: determining a signal measurement for each cell in the list of received neighbouring cells; wherein the user request message further includes a signal measurement for each cell (Page 21, section 7.1, 7<sup>th</sup> para. i.e. based on threshold e.g. measured CPICH EC/N0 from neighboring cell and UE determines neighboring cell suitable for selective combining) in the list of one or more neighboring cells for better reception of multicast service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. and Cooper to include in the first list an indication of combinable cells and to determine the signal measurement of each cell in the list of neighbouring cells and include it in the user request message disclosed by "3GPP" to perform selective combining for better reception of multicast service.

10. Claims 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jung et al. (Pub. No: 2005/0213541) in view of Goldberg et al. (US Patent. No: 5,724,662).

Regarding claims 31 and 32, Jung et al. teach that mobile radio system for providing a multicast service, the system comprising: a network including a first base station creating a first cell; a plurality of second base stations creating a respective plurality of second cells (page 1, [0006], lines 1-4) wherein second cells are neighbours of the first cell and a memory including accumulated data and a plurality of user equipment each

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positioned in one cell of the first wherein the accumulated data represents user equipment determined to be positioned in the first cell (page 2, [0026], lines 8-11) and wherein the accumulated data represents a count of user equipment determined to be positioned in the first cell (page 2, [0026], lines 8-11).

Jung et al. differ from the claimed invention in that they don't mention 3<sup>rd</sup> cells, which are not neighbours of the first cell and also accumulating the data represent a count of user equipment determined to be positioned in one of the 2<sup>nd</sup> cells.

However, Goldberg et al. teach (page 11, lines 35-40) the method of forming the sets of base station transmitters (i.e. 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> cells etc.)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Jung et al. to include 2<sup>nd</sup> and 3<sup>rd</sup> cells disclosed by Goldberg et al. to accumulate the data represents a count of user equipment determined to be positioned in one of the 2<sup>nd</sup> cells for transmitting multicast service in one of the 2<sup>nd</sup> cells.

11. Claims 33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over 3GPP TS 25.346 V6.0.0 (2004-03) ("3GPP") in view of Cooper (Pub. No: 2006/0194582).

Regarding claims 33 and 34, "3GPP" teaches that method of signaling between user equipment and a network across an air interface, wherein the user equipment is positioned in a first cell created by a first base station, wherein a set of neighbouring

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base stations create a respective set of neighbouring cells, and wherein the first base stations transmits on a downlink and the user equipment transmits on an uplink, the method comprising: signaling, on the downlink, a first list of all neighbours of the first base station; signaling, on the downlink, an initiation of a counting procedure for a multicast service (Page 14, section 5.2.5 & page 25, section 8.1.1, 1<sup>st</sup> para, lines 1-3); signaling, on the uplink, a second list including an indication of acceptable cells from the first list. Further comprising signaling, on the uplink, a third list including a signal measurement for each of the acceptable cells from the second list (page 21, section 7.1. 7<sup>th</sup> para).

"3GPP" differs from the claimed invention in that "3GPP" does not teach how the user message containing list of neighbouring cell information is transmitted via signaling on the downlink.

However, Cooper teaches the user message containing neighbouring cell information is transmitted from network to the user equipment (page 3, [0046], lines 11-13) and also signaling on the uplink, a second list including an indication of acceptable cells from the first list (page 3, [0046], lines 13-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention, to modify "3GPP" teaching with the teaching of Cooper to transmit user message containing neighbouring cell information from network to the user equipment via signaling on down link and also signaling on the uplink, a 2<sup>nd</sup> list including an indication of acceptable cells from the first list to guarantee providing the multicast service.

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***Conclusion***

12. Any response to this office action should be faxed to (571) 273-8300 or mailed

To:

Commissioner for Patents,

P.O. Box 1450

Alexandria, VA 22313-1450

**Hand-delivered responses should be brought to**

Customer Service Window

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srinivasa Reddivalam whose telephone number is (571) 270-3524. The examiner can normally be reached on Monday – Friday 8:30am-6:00pm EST (1<sup>st</sup> Friday OFF).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benny Q. Tieu can be reached on (571) 272-7490. The fax number for the

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organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Srinivasa R. Reddivalam  
Patent Examiner  
AU: 2609  
July 14, 2007

  
BENNY TIEU  
SPE/TRAINER